

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of

Delaware

HUMAN GENOME SCIENCES, INC.,

Plaintiff,

V.

GENENTECH, INC.,

Defendant.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08 - 166

TO: (Name and address of Defendant)

Genentech, Inc.  
c/o Corporation Service Company (Registered Agent)  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Steven J. Balick  
Ashby & Geddes  
500 Delaware Avenue, 8th Floor  
P.O. Box 1150  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**PETER T. DALLEO**

March 25, 2008

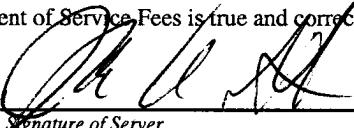
CLERK

DATE



(By) DEPUTY CLERK

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<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	March 25, 2008
NAME OF SERVER ( <i>PRINT</i> ) John A. Garber	TITLE	Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>Personally served Genetech, Inc. by serving its registered agent at the address indicated on the front of this summons.</u> _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on <u>3/25/08</u> <div style="text-align: center; margin-top: -10px;">Date</div>	 <div style="text-align: center; margin-top: -10px;">Signature of Server</div>	
<div style="text-align: center; margin-top: 20px;">           Address of Server            _____            Parcels, Inc.            230 N. Market Street            Wilmington, DE 19801         </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.